

**THE COMMITTEE ON LAND USE AND HOUSING
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR
WEDNESDAY, NOVEMBER 5, 2003, AT 2:00 P.M.**

**COUNCIL CHAMBERS (12TH FLOOR), CITY ADMINISTRATION
BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

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CORRECTION TO ACTIONS: The Actions for the September 17, 2003, Land Use and Housing Committee meeting, Item #3, subsection 3, should read: adopt the staff recommendation to not impose additional building and zoning code requirements and standards for mechanical, electrical, plumbing, roof and wall systems, since applicable local and state building and zoning regulations already apply. All condominium conversions should be carefully scrutinized to assure all applicable local and state building and zoning standards are being adhered to.

COUNCIL COMMENT

ACTION: None received.

NON-AGENDA PUBLIC COMMENT

ACTION: None received.

ITEM-1: Report from the City Manager regarding the PACIFIC HIGHLANDS RANCH FISCAL YEAR 2004 PUBLIC FACILITIES FINANCE PLAN AND FACILITIES BENEFIT ASSESSMENT.

ACTION: Motion by Councilmember Atkins, second by Councilmember Frye to continue the item.

VOTE: 5-0; Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Frye-yea

ITEM-2: Report from the City Manager regarding RESIDENTIAL/INDUSTRIAL COLLOCATION AND EMPLOYMENT LAND CONVERSION.

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(See CMR 03-221; citizens' letters)

ACTION: Motion by Councilmember Lewis, second by Chair Peters to:
a) Adopt Council Policy 600-41 as an interim policy for collocation until the General Plan Update is complete; b) direct staff to complete an update to the Land Development Code to include a collocation zone; and c) send the issue of using only one-third of any project site for residential use back to staff for further analysis. The Land Use and Housing Committee directed staff to move this item forward to City Council.

VOTE: 3-1; Peters-yea, Zucchet-not present, Atkins-yea, Lewis-yea, Frye-nay

ITEM-3: Report from the City Attorney regarding the CAUSE EVICTION ORDINANCE.

(See City Attorney's October 31, 2003, report; Councilmember Frye's November 5, 2003, memo; citizens' letters)

ACTION: Motion by Councilmember Frye, second by Councilmember Atkins to adopt the City Attorney's proposed draft cause eviction ordinance with the new title Tenant's Right to Know and to revise the just cause provision of the draft ordinance (subject to review and revision from the City Attorney) with the following language:

"A tenant who has resided in the same dwelling unit for at least two years may only be evicted for good cause, including serious or repeated violation of the terms and conditions of the lease; violation of a federal, state or local law which imposes an obligation on the tenant in connection with the occupancy or use of the dwelling unit and surrounding premises; or other good cause.

Other good cause includes but is not limited to: failure by the tenant to accept the offer of a new lease; a tenant history of disturbance of neighbors or destruction of property, or of living or housekeeping habits resulting in damage to the unit or property; criminal activity by tenants involving crimes of physical violence to persons or property; the owner's desire to utilize the unit for personal or family use or for a purpose other than use as a residential rental unit; or a business or economic reason for termination of the tenancy such as sale of the property or renovation of the unit."

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VOTE: 4-1; Peters-nay, Zucchet-yea, Atkins-yea, Lewis-yea, Frye-yea

Scott Peters
Chair